

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL E VAN SICKEL,)	
)	
Petitioner,)	No. C 08-1179 VRW (PR)
)	
vs.)	ORDER OF TRANSFER
)	
MICHAEL S EVANS, Warden,)	
)	
Respondent.)	
_____)	

Petitioner seeks federal habeas review of his state conviction. The court has verified that said conviction is from the Superior Court of the State of California in and for the County of Tehama, which lies within the venue of the Eastern District of California. See 28 USC § 84(b). Petitioner is incarcerated at Salinas Valley State Prison in Soledad, County of Monterey, which lies within the venue of the Northern District of California. See id § 84(a).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas LR 2254-3(a); Dannenberg v Ingle, 831 F Supp 767, 767 (ND Cal 1993).

1 Because the County of Tehama lies in the Eastern District of California, the court
2 ORDERS that pursuant to 28 USC § 1404(a) and Habeas Local Rule 2254-3(b), and in
3 the interest of justice, this petition be TRANSFERRED to the United States District
4 Court for the Eastern District of California.

5 The clerk shall transfer this matter and terminate all pending motions as moot.

6 SO ORDERED.



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8 VAUGHN R WALKER
United States District Chief Judge